

by a fine of not less than twenty nor more than two hundred dollars and imprisoned for not less than ten days nor more than one year, in the discretion of the court in which the conviction shall be had; and each successive number of any newspaper or periodical containing any such obscene or licentious matter shall be deemed a new publication thereof and shall subject every proprietor and publisher to indictment and punishment as for a distinct offense.

In an indictment under this section where the character of the publication is only disclosed by explanatory words and innuendoes, it is necessary to aver that it was so known and understood by the publisher. Extrinsic facts and circumstances must be set out in indictment where true character and meaning of publication is gathered from them. *Nicholson v. State*, 36 Md. x.

An. Code, sec. 372. 1904, sec. 339. 1888, sec. 220. 1886, ch. 490. 1894, ch. 271.

417. If any person shall bring or cause to be brought into this State for sale or exhibition, or shall sell, lend, give away or offer to give away, or show or have in his or her possession with intent to sell or give away, or to exhibit, show, advertise or otherwise offer for loan, gift, sale or distribution any lewd, obscene or indecent book, magazine, pamphlet, newspaper, story paper, writing paper, picture, card, drawing or photograph, or any article or instrument of indecent or immoral use, or shall design, copy, draw, photograph, print, utter, publish or prepare such book, picture, card, drawing, paper or other article, or shall write or print or cause to be written or printed any circular, advertisement or notice of any kind, or giving information orally, stating when, where, how or of whom or by what means such a lewd, indecent or obscene article or thing can be purchased, seen or obtained, shall in every such case be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars or shall be imprisoned not exceeding one year, or be both fined and imprisoned in the discretion of the court; provided, that this section shall not apply to any person committing the acts thereby prohibited with intent to prevent violations of this sub-title or to procure the punishment of offenses against the same.

An. Code, sec. 373. 1904, sec. 340. 1894, ch. 271, sec. 220A.

418. Any person who shall sell, lend, give away or show, or have in his possession with intent to sell or give away or show, or shall advertise or otherwise offer for loan, gift or distribution to any minor any book, pamphlet, magazine, newspaper or other printed paper devoted to the publication, or principally made up of criminal news, police reports or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, lust or crime, or shall exhibit on any street or highway, or in any other place within the view of any minor any such book, magazine, pamphlet, newspaper, writing, paper, picture, drawing, photograph or other article coming within the description of articles mentioned in this section, or in the preceding section shall in every case be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars, or shall be imprisoned not exceeding one year, or be both fined and imprisoned in the discretion of the court.